

United States District Court
 District of Massachusetts
 Western Division

**FILED
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2006 APR -5 A 10:32

Springfield, Massachusetts

Civil Action No. 05-30082
**U.S. DISTRICT COURT
 DISTRICT OF MASS.**

Scott Stern,) NOTICE OF APPEAL OF ORDERS DATED MARCH 29,
) 2006
)
Plaintiff) NOTICE OF APPEAL OF ORDERS DATED FEBRUARY
) 27, 2006
v)
)
Mary Jane Stern, et al)
)
Defendants)
)

Now comes the Plaintiff, an aggrieved, distressed, disillusioned individual, and gives NOTICE OF APPEAL to the Honorable Judge Michael Ponsor, that the moving party, the Plaintiff, is an individual that has had his United States Constitutional Rights, Liberties and Privileges violated by and because of the defendants, under "color of state law" by an "appointed" Guardian Ad Litem, paid from funds of the Commonwealth of Massachusetts; a Guardian Ad Litem is an "arm of the court" and the department, the Hampshire Probate and Family Court, a department of the Commonwealth of Massachusetts, a division of the Trial Court of the Commonwealth of Massachusetts, including, but not limited to, United States Code 42 section 1983.

Wherein your moving party prayed for certification for NOTICE OF APPEAL within the MOTION FOR RECONSIDERATION, AS A RIGHT and for fundamental fairness to allow judicial review of the this court's decision that grants Guardian Ad Litems the right to violate the rights of others contrary to the laws of the Commonwealth of Massachusetts, the laws of the United States and the decisions of the United States Supreme Court, the Supreme Law of the Land.

Notice of Appeal of United States District Judge Michael A. Ponsor
 Orders dated March 29, 2006 and February 27, 2006

Wherein, if this Court honestly believes that Guardian Ad Litem can illegally wiretap conversations of children, thus causing a chilling effect on the love and affection between the children and their parent, and violate not only your moving party's rights and privileges, but also that of the minor children, the Court then embodies the theory that a Guardian Ad Litem, under the ruling of Cok, under "color of state law" can commit murder, rape, or any number of offenses against the people of the Commonwealth of Massachusetts and be sanctioned and declared free from prosecution because they are "absolutely immune" from liability, negligence, malfeasance by their egregious, wanton, reckless, unethical, illegal and immoral behaviors because of this Court's ruling in Cok v Cosentino. Illegal wiretapping is a crime, and must be treated as a crime; the Guardian Ad Litem, Evan Ehmann, and the defendants Mary Jane Stern, and Gary Matteson, are criminals, and the plaintiff is entitled by right to bring a cause of action against criminals for their criminal behavior.

Wherefore, Plaintiff Scott Stern, has an obligation, a duty, and a right, pursuant to the Declaration of Independence of the United States which declared:

"...That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their safety and Happiness...But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government and to provide new Guards

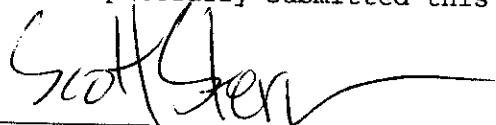
Notice of Appeal of United States District Judge Michael A. Ponson
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for their future security."

Wherein, judicial "absolute immunity" is a creature of the Courts and is not statutory law of the Commonwealth of Massachusetts or the United States government, and;

Wherefore, your moving party, prays that he shall be accorded his right, duty and obligation to Appeal this decision to the First Circuit Court of Appeals expeditiously and without delay.

Most respectfully submitted this 31 day of March 2006.



Scott Stern
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Sui Juris
400 West Main Street
North Adams, Massachusetts 01247

CERTIFICATE OF SERVICE

I, Scott Stern, Pro-Se Plaintiff, in this action of Stern v. Stern, et al United States District Court, docket No 05-30082 MAP, certify that I have caused a copy of the foregoing document:

Copy of Plaintiff's NOTICE OF APPEAL OF ORDERS DATED MARCH 29, 2006 and NOTICE OF APPEAL OF ORDERS DATED FEBRUARY 27, 2006

Copy of this Certificate of Service

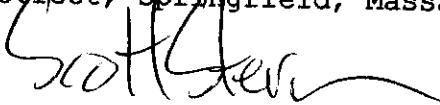
to have been delivered, postage prepaid, to the defendants at their respective counsel addresses on April 3, 2006.

Defendant: MARY JANE STERN
Andrus & Wyllie, P.C.
Erin Wyllie
15 Center Court
Northampton, Massachusetts 01060

DEFENDANT: GARY MATTESON
The Law Offices of Edward Berlin
Robert E. Young
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Greenfield, Massachusetts 01301-3302

DEFENDANT: EVAN EHMANN
Long & Leahy
Richard Poliferno
100 Summer Street
Boston, Massachusetts 02110

to be delivered, by United States Postal Service, by the plaintiff, to the United States District Court, 1550 Main street, Springfield, Massachusetts on April 3, 2006.



Scott Stern
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Pro-Se Plaintiff
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North Adams, Massachusetts 01247

Date of Mailing

